

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILIP MORRIS USA INC.,

Plaintiff,

v.

IVAN HOWARD, GEORGE ANDREWS,
JAMES PARKER, KYLE WILLIAMS,
ZEEV VICMAN and SMARTRADE LTD.,

Defendants.

07 Civ. 8134 (DC)

ELECTRONICALLY FILED

**NOTICE OF MOTION FOR
DEFAULT JUDGMENT AND ORDER
GRANTING INJUNCTIVE RELIEF**

PLEASE TAKE NOTICE that, upon the annexed Affidavit of Brittan J. Strangways, sworn to on August 4, 2008, and the exhibits attached thereto, Plaintiff Philip Morris USA Inc., by and through its undersigned counsel, will move this Court before the Honorable Denny Chin, at the United States Courthouse, 500 Pearl Street, Courtroom 11A, New York, New York, as soon as counsel may be heard, for an order pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b) granting a default judgment and permanent injunction against Defendants Ivan Howard, George Andrews, James Parker, Kyle Williams, Zeev Vicman, and Smartrade Ltd.

Dated: New York, New York
August 4, 2008

HELLER EHRMAN LLP

By: /s/ Brittan J. Strangways
Brittan J. Strangways (BS-7407)
brittan.strangways@hellerehrman.com
Times Square Tower
7 Times Square
New York, New York 10036
Telephone: (212) 832-8300
Facsimile: (212) 763-7600